

**STATEMENT
OF
SENATOR DANIEL K. INOUE
CHAIRMAN
COMMITTEE ON INDIAN AFFAIRS
BEFORE THE
JUNE 4, 2002 HEARING
ON
THE PROTECTION OF NATIVE AMERICAN
SACRED PLACES
AS THEY ARE AFFECTED
BY THE
UNDERTAKINGS AND ACTIVITIES
OF THE
MILITARY SERVICES
OF THE
DEPARTMENT OF DEFENSE**

The Committee meets this morning for the first in a series of hearings that will be held on the protection of Native American sacred places as they are affected by the undertakings and activities of various federal agencies.

This morning we will receive testimony on how the activities of the military services of the Department of Defense are affecting Native American sacred places.

There are several federal laws which address some aspect of Native American sacred places, but even taken together, as we will hear today, they fail to provide adequate protection for places that are sacred to Native people.

These laws include:

- the American Indian Religious Freedom Act,
- the National Historic Preservation Act, and
- the Native American Graves Protection and Repatriation Act.

In addition, in the previous administration, President Clinton issued an executive order addressing Native American sacred sites.

We begin this series of hearings with the Department of Defense agencies, in part because the Department has implemented a number of initiatives which are commendable in their own right, but which, unfortunately, have not been replicated by other federal agencies.

The Department of Defense has adopted a guidance and issued a publication in pursuit of the government-to-government consultation policy objectives established during President Clinton's administration.

In addition, the Department has developed a curriculum to provide

the commanders of military installations across the country, as well as those who serve them, with a thorough background on the history of federal Indian relations and federal Indian law and policy.

The Department has also contracted to develop a mapping of those geographic areas of the country that are the subject of treaties between Indian Nations and the United States, so that the Department and its services may know with whom they should consult when a proposed undertaking might affect Tribal lands.

The Department is certainly to be commended for its leadership in these areas.

Yet, as we will hear today, there are issues and areas that have not been addressed very well.

Often, we have found that the best way to assure that negative patterns are not repeated is to identify the problem areas so that we may better focus our attention on improvement.

I want to thank all of the witnesses who will appear before the Committee today, and to extend the Committee's appreciation to the Sacred Lands Protection Coalition, the National Congress of American

Indians, and the Morningstar Institute, and the Institute's Director, Ms.

Suzan Shown Harjo, for all that they have contributed to today's hearing.